

1 EDMUND G. BROWN JR.
Attorney General of California
2 JAMES M. LEDAKIS
Supervising Deputy Attorney General
3 State Bar No. 132645
110 West A Street, Suite 1100
4 San Diego, CA 92101
Telephone: (619) 645-2105
5 Facsimile: (619) 645-2061
Attorneys for Complainant

6
7 **BEFORE THE**
8 **BOARD OF REGISTERED NURSING**
9 **DEPARTMENT OF CONSUMER AFFAIRS**
10 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. *2011-373*

12 **PETER HENRY SPEERSTRA aka PETER**
13 **HENRY SPEZRSTRA**

A C C U S A T I O N

14 **11410 NE 124th Street #649**
15 **Kirkland, Washington 98034**

16 **Registered Nurse License No. 670574**

17 Respondent.

18 Complainant alleges:

19 **PARTIES**

20 1. Louise R. Bailey, M.E.D., RN ("Complainant") brings this Accusation solely in her
21 official capacity as the Interim Executive Officer of the Board of Registered Nursing ("Board"),
22 Department of Consumer Affairs.

23 2. On or about December 8, 2005, the Board issued Registered Nurse License Number
24 670574 to Peter Henry Speerstra aka Peter Henry Spezrstra ("Respondent"). The Registered
25 Nurse License has been active at all times relevant herein and expires on May 31, 2011, unless
26 renewed.

27 **JURISDICTION AND STATUTORY AND REGULATORY PROVISIONS**

28 3. Section 2750 of the Business and Professions Code ("Code") provides, in pertinent
part, that the Board may discipline any licensee, including a licensee holding a temporary or an

1 inactive license, for any reason provided in Article 3 (commencing with Code section 2750) of
2 the Nursing Practice Act.

3 4. Section 2764 of the Code provides, in pertinent part, that the expiration of a license
4 shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the
5 licensee or to render a decision imposing discipline on the license. Under Section 2811
6 subdivision (b) of the Code, the Board may renew an expired license at any time within eight
7 years after the expiration.

8 5. Section 2761 of the Code provides grounds for disciplinary action:

9 "The board may take disciplinary action against a certified or licensed
10 nurse or deny an application for a certificate or license for any of the following:

11 (a) Unprofessional conduct, which includes, but is not limited to, the
12 following:

13 (1) Incompetence, or gross negligence in carrying out usual certified or
14 licensed nursing functions.

15 ...

16 (4) Denial of licensure, revocation, suspension, restriction, or any other
17 disciplinary action against a health care professional license or certificate by another
18 state or territory of the United States, by any other government agency, or by another
19 California health care professional licensing board. A certified copy of the decision
20 or judgment shall be conclusive evidence of that action.

21 ...

22 (e) Making or giving any false statement or information in connection
23 with the application for issuance of a certificate or license."

24 6. Section 1443 of Title 16 of the California Code of Regulations defines incompetence
25 as "the lack of possession of or the failure to exercise that degree of learning, skill, care and
26 experience ordinarily possessed and exercised by a competent registered nurse as described in
27 Section 1443.5."

28 COST RECOVERY

7. Code section 125.3 provides, in pertinent part, that the Board may request an
administrative law judge to direct a licensee found to have committed a violation or violations of

1 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
2 enforcement of the case.

3 **FIRST CAUSE FOR DISCIPLINE**

4 **(Disciplinary Action by the Washington Board of Nursing)**

5 8. Respondent is subject to discipline pursuant to Code section 2761, subdivision (a)(4),
6 on the grounds of unprofessional conduct because he was disciplined by the Washington State
7 Board of Nursing ("Washington Board"), as follows:

8 9. On or about July 31, 2009, the Washington Board entered into an "Amended
9 Stipulation to Informal Disposition" with Respondent in the disciplinary action entitled, *In the*
10 *Matter of Peter Speerstra Credential No. RN.RN. [sic.] 00147508*. The Washington Board found
11 that on or about December 26, 2007, while working as a registered nurse at a Washington
12 hospital, Respondent misadministered a patient's intravenous line, forcing him to start a new
13 intravenous line on the patient's other arm. Respondent then failed to staunch the patient's
14 bleeding from his original intravenous line or to request help to assist the bleeding patient. The
15 Washington Board found that Respondent's misadministration of the intravenous line was
16 unprofessional conduct or represented an inability to perform his nursing functions in a manner
17 consistent with established or customary standards.

18 10. For Respondent's actions on or about December 26, 2007, the Washington Board
19 took disciplinary action to place Respondent's license on probation for two years. Respondent
20 accepted this action in the July 31, 2009 Amended Stipulation. The terms of Respondent's
21 probation required him to work under the supervision of an experienced registered nurse and to
22 take remedial coursework in the areas of patient safety, critical thinking, intravenous therapy, and
23 assessment.

24 11. Under Section 2761 subdivision (a)(4) of the Code, the Washington Board's
25 disciplinary action against Respondent for misadministering a patient's intravenous line is ground
26 for the California Board to take disciplinary action.

27 ///

28 ///

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

2

3
4

5
6
7

8
9
10
11
12

13
14
15
16
17
18
19

20
21
22

23

24

25
26
27

1 to properly attend to a bleeding patient, failing to exercise the learning, skill, or care of a
2 competent registered nurse.

3 **PRAYER**


4 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
5 and that following the hearing, the Board of Registered Nursing issue a decision:

6 1. Revoking or suspending Registered Nurse License Number 670574, issued to Peter
7 Henry Speerstra aka Peter Henry Spezrstra;

8 2. Ordering Peter Henry Speerstra aka Peter Henry Spezrstra to pay the Board of
9 Registered Nursing the reasonable costs of the investigation and enforcement of this case,
10 pursuant to Business and Professions Code Section 125.3; and,

11 3. Taking such other and further action as deemed necessary and proper.

12
13 DATED: October 25, 2010


LOUISE R. BAILEY, M.E.D., RN
Interim Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

14
15
16
17 LA2010601014
60569519.docx